

ESTTA Tracking number: **ESTTA284461**

Filing date: **05/16/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177301
Party	Plaintiff Cake Divas
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Date	05/16/2009
Attachments	Notice of Errata.pdf ( 4 pages )(57101 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 76/529,077  
Published in the *Official Gazette* of May 8, 2007

Cake Divas,	)	
	)	
Opposer,	)	Opposition No. 91177301
	)	
v.	)	
	)	
Charmaine V. Jones,	)	
	)	
Respondent.	)	
	)	
<hr style="width: 40%; margin-left: 0;"/>		

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**OPPOSER'S NOTICE OF ERRATA**

Opposer, Cake Divas ("Opposer"), hereby gives notice of the errata ("Notice"), and corrections thereto which have been made by Ms. Grode, to the transcript of her deposition testimony taken on April 16, 2009. This Notice is attached to, and is being filed concurrently with, a certified copy of Ms. Grode's deposition transcript.

**ERRATA**

1. Page 14, line 2:
  - a. Currently states: "basically the first Cake Diva labels"
  - b. As corrected: "basically the first Cake Divas labels"
  - c. Correction handwritten on transcript by deponent Leigh Grode.

2. Page 16, line 15:

- a. Currently states: "Yes. This is an invoice for a card – a cake, a"
- b. As corrected: "Yes. This is an invoice for a – a cake, a"
- c. Correction handwritten on transcript by deponent Leigh Grode.

3. Page 28, line 5:

- a. Currently states: "Yes. Oh, Hawaii also. Yeah, Turkey. Ansuego."
- b. As corrected: "Yes. Oh, Hawaii also. Yeah, Turks and Caicos."
- c. Correction confirmed by deponent Leigh Grode, but not handwritten on transcript.

4. Page 96, line 21:

- a. Currently states: "it's just we're in a way I can't really answer it. It's"
- b. As corrected: "it's just worded in a way I can't really answer it. It's"
- c. Correction handwritten on transcript by deponent Leigh Grode.

5. Page 111, line 25:

- a. Currently states: "I can't say. I know that, but I assume that."
- b. As corrected: "I can't say. I don't know that, but I assume that."
- c. Correction handwritten on transcript by deponent Leigh Grode.

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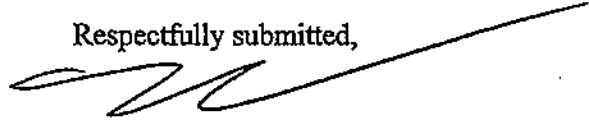
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6. Page 115, line 18:

- a. Currently states: "Yeah, sometimes it didn't change the name on"
- b. As corrected: "Yeah, sometimes I didn't change the name on"
- c. Correction handwritten on transcript by deponent Leigh Grode.

Respectfully submitted,



Dated: May 14, 2009

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Konrad K. Gatien  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2009, I served the following document(s):

**OPPOSER'S NOTICE OF ERRATA**

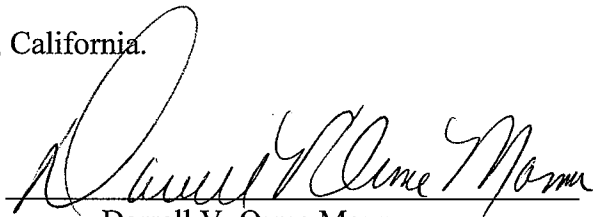
upon counsel for Applicant named below:

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by placing a true and correct copy thereof in a sealed envelope, postage prepaid, in First Class U.S. mail, for collection and mailing with the United States Postal Service on the same date.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 15, 2009, at Beverly Hills, California.

  
\_\_\_\_\_  
Darrell V. Orme Mann